IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc 31344-M of 2007

Date of decision: 17.5.2007

Durga Devi and another …Petitioners

Versus

State of Punjab etc. …Respondents

Present: Mr Randeep Singh Rana, Advocate, for the petitioners.

S.S. SARON, J.

The petitioners, by way of the present petition under Section 482 CrPC, seek directions to respondents-1 to 4 to protect their life and liberty from petitioners-5 and 6 who are the mother and relative of petitioner-1 and other family members, friends, neighbours etc. A further direction is sought against respondents-1 to 4 not to interfere in the private life of the petitioners and not to let the family members of the petitioners interfere in their life.

Both the petitioners are stated to be major. The date of birth of petitioner-1 is 9.5.1988 and that of petitioner-2 is 13.12.1981. It is stated that both of them are mature and major and can live their life as per their own wishes. Petitioner-2 is working as a Tailor and running his shop by earning about Rs 10,000/- per month and he is able to maintain his wife – petitioner-1. Both the petitioners knew each other for the last 4-5 years. However, the mother (respondent-5) and relatives (respondent-6) of petitioner-1 refused to solemnize the marriage of petitioner-1 with petitioner-2 due to different castes. Therefore, the petitioners, on their own, solemnized their marriage on 10.5.2007 at Mata Sheran Wali Mandir, Rahon Road, Ludhiana. The

photographs (Annexure P3) showing the solemnization of the marriage have been placed on record. The marriage is not to the liking of respondents-5 and 6 and other relatives of petitioner-1. Therefore, they apprehend danger to their life and liberty for which they seek protection.

After hearing learned counsel for the petitioners and perusing the record, it may appropriately be noticed that the petitioners have not approached respondents-2 and 3 setting out their grievances as have been made in the present petition. They would be in the facts and circumstances of the case, be in a better position to ascertain the ground realities and also grant the necessary relief.

Accordingly, the present petition is disposed of with the directions to respondents-2 and 3 that in case the petitioners approach any of them, setting out their grievances as have been made in the present petition, the same would be looked into by them independently and in accordance with law.

17.5.2007. (S.S.SARON)
ASR JUDGE